

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

| | | |
|---------------------------|---|----------------------------------|
| MATTHEW MARK JORDAN, | : | CR-1-02-156-2 |
| | : | C-1-04-0613 |
| Petitioner, | : | |
| | : | |
| v. | : | <u>UNITED STATES' MOTION TO</u> |
| | : | <u>EXTEND TIME TO RESPOND TO</u> |
| | : | <u>PETITIONER'S MOTION UNDER</u> |
| UNITED STATES OF AMERICA, | : | <u>28 U.S.C. § 2255</u> |
| | : | |
| Respondent. | : | Senior J. Spiegel |

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Now comes the United States which requests the Court grant an extension of time until December 13, 2004 to respond to the Petitioner's Motion Under 28 U.S.C. § 2255 To Vacate, Set Aside, or Correct Sentence.

The United States has ordered a copy of the transcript of the Rule 44 hearing which took place on March 26, 2003 regarding possible conflict of representation by same counsel. According to the District Court docket sheet for this case, the transcript of said hearing was just filed with the District Court today, December 3, 2004 (See Doc. 97). The United States has not yet received its copy of the transcript. The transcript is needed in order to be able to efficiently address the allegations raised in the petition.

Respectfully submitted,

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s/Kenneth L. Parker
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "United States' Motion To Extend Time To Respond To Petitioner's Motion Under 28 U.S.C. § 2255" was served this 3rd day of December, 2004, by regular U.S. Mail on Matthew Mark Jordan, #03665-061, USP Big Sandy Satellite Camp, P.O. Box 2068, Inez, Kentucky 41224.

s/Kenneth L. Parker
KENNETH L. PARKER (0068805)
Assistant United States Attorney